

BILL NO. G-97-05-20

GENERAL ORDINANCE NO. G-

08-97

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating dedicated right-of-way.

WHEREAS, a petition to vacate dedicated right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

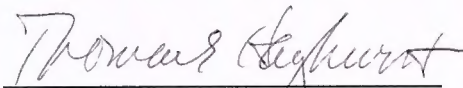
SECTION 1. That the petition filed herein to vacate a dedicated right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

Part of Savilla Avenue and Broadway Boulevard in Wayne Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of South right-of-way line of Savilla Avenue and the Southeasterly right-of-way line of Broadway Boulevard, said point being the Northwest corner of Lot Number 1 of Feit's Amended Plat as recorded in Plat Book 3 page 50 as recorded in the plat thereof in the office of the Recorder of Allen County; thence North 89 degrees 01 minutes 20 seconds East (assumed bearing) along the South right-of-way line of Savilla Avenue and the North line of Lot Number 1, a distance of 24.2 feet to the intersection of the South right-of-way line of Savilla Avenue and the West right-of-way line of Beaver Avenue; thence North 00 degrees 46 minutes West along the West right-of-way line of Beaver Avenue extended North, a distance of 4.34 feet to a point of curvature; thence Northerly and Easterly on a curve to the right having a radius of 35.0 feet, a central angle of 83 degrees 00 minutes 39 seconds, an arc distance of 50.71 feet to the Southwest corner of Lot Number 6 in Brandriff and Miner's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, said point also being the intersection of the North right-of-way line of Savilla Avenue and the East right-of-way line of Broadway Boulevard; thence North 00 degrees 10 minutes 06 seconds East along the West line of Lot 5 and 6 in Brandriff and Miner's Addition and the East right-of-way line of Lot 5 and 6 in Brandriff and Miner's Addition and the East right-of-way line of Broadway Boulevard a distance of 59.41 feet; thence South 29 degrees 00 minutes West a distance of 112.61 feet to the true point of beginning, containing 0.04 acres.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


COUNCILMEMBER

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APPROVED AS TO FORM AND LEGALITY:



J. TIMOTHY MCCAULAY, CITY ATTORNEY



Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Hayhurst,
and duly adopted, read the second time by title and referred to the Committee on
Legal Affairs, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday,
the 30th day of June, 19 97, at 10:30
o'clock 30th M., E.S.T.

DATED: 5-27-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE				<u>✓</u>
SCHMIDT	<u>✓</u>			

DATED: 7-8-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)

(ZONING) ORDINANCE RESOLUTION NO. G08-97
on the 8th day of July, 19 97

Sandra E. Kennedy ATTEST: Paul Helmke
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
9th day of July, 19 97,
at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 9th day
of July, 19 97, at the hour of 6:20
o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



Vacation Petition

City Clerk / Room 122 City County Building / Fort Wayne, IN 46802 / (219) 427-1208

I/We do hereby petition to vacate the following:

☐ Easement

☒ Public Right-of-Way (street or alley)

More particularly described as follows:

Please see attached survey

(Please attach a legal description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

The reasons for the proposed vacation are as follows:

Public interest in creating a courtyard which will enhance the Broadway
community both for its residents and businesses.

(If additional space is needed please attach a separate page)

The name and addresses of all adjacent property owners must also be provided by the applicant.

Property owner('s) name(s): F & S Development, Inc. (Steve Shine)

Street Address: 2810 Beaver Avenue

City: Fort Wayne State: IN Zip: 46807 Phone: 745-1970

Property owner('s) name(s): Gary & William Chappell (Chappell's Coral Grill)

Street Address: 2723 Broadway

City: Fort Wayne State: IN Zip: 46807 Phone: 456-9652

Property owner('s) name(s): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Property owner('s) name(s): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Property owner('s) name(s): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Gary L. Chappell
Signature

Gary Chappell

May 14, 1997

Printed Name

Date

2723 Broadway

Address

Fort Wayne, IN 46807

City/state//zip

Steven R. Shine, Sec + Pres.
Signature

Steven R. Shine

May 14, 1997

Printed Name

Date

F & S Development, Inc.

By: Steven R. Shine

2810 Beaver Avenue

Address

Fort Wayne, IN 46807

City/state//zip

(If additional space is needed please attach a separate page)

Agents Name (Please print legibly):

Street Address:

City:

State:

Zip:

Phone:

Legal Description for Street Vacation

Part of Savilla Avenue and Broadway Boulevard in Wayne Township, Allen County, Indiana, more particularly described as follows:

Beginning at the Intersection of South right of way line of Savilla Avenue and the Southeasterly right of way line of Broadway Boulevard, said point being the Northwest corner of Lot number 1 of Feit's Amended Plat as recorded in Plat Book 3 page 50 as recorded in the plat thereof in the office of the Recorder of Allen County; thence North 89 degrees 01 minutes 20 seconds East (assumed bearing) along the South right of way line of Savilla Avenue and the North line of Lot number 1, a distance of 24.2 feet to the intersection of the South right of way line of Savilla Avenue and the West right of way line of Beaver Avenue; thence North 00 degrees 46 minutes West along the West right of way line of Beaver Avenue extended North, a distance of 4.34 feet to a point of curvature; thence Northerly and Easterly on a curve to the right having a radius of 35.0 feet, a central angle of 83 degrees 00 minutes 39 seconds, an arc distance of 50.71 feet to the Southwest corner of Lot number 6 in Brandriff and Miner's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, said point also being the intersection of the North right of way line of Savilla Avenue and the East right of way line of Broadway Boulevard; thence North 00 degrees 10 minutes 06 seconds East along the West line of Lot 5 and 6 in Brandriff and Miner's Addition and the East right of way line of Lot 5 and 6 in Brandriff and Miner's Addition and the East right of way line of Broadway Boulevard a distance of 59.41 feet; thence South 29 degrees 00 minutes West a distance of 112.61 feet to the true point of beginning containing 0.04 acres.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 28, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of May 31, 1997,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

(Bill No. G-97-05-20)
Street Vacation Ordinance

Please send us 3 copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne

ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-97-05-20)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, JUNE 10, 1997. AT 5:30 P.M., (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Part of Savilla Avenue and Broadway Boulevard in Wayne Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of South right-of-way line of Savilla Avenue and the Southeasterly right-of-way line of Broadway Boulevard, said point being the Northwest corner of Lot Number 1 of Feit's Amended Plat as recorded in Plat Book 3 page 50 as recorded in the plat thereof in the office of the Recorder of Allen County; thence North 89 degrees 01 minutes 20 seconds East (assumed bearing) along the South right-of-way line of Savilla Avenue and the North line of Lot Number 1, a distance of 24.2 feet to the intersection of the South right-of-way line of Savilla Avenue and the West right-of-way line of Beaver Avenue; thence North 00 degrees 46 minutes West along the West right-of-way line of Beaver Avenue extended North, a distance of 4.34 feet to a point of curvature; thence Northerly and Easterly on a curve to the right having a radius of 35.0 feet, a central angle of 83 degrees 00 minutes 39 seconds, an arc distance of 50.71 feet to the Southwest corner of Lot Number 6 in Brandriff and Miner's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, said point also being the intersection of the North right-of-way line of Savilla Avenue and the East right-of-way line of Broadway Boulevard; thence North 00 degrees 10 minutes 06 seconds East along the West line of Lot 5 and 6 in Brandriff and Miner's Addition and the East right-of-way line of Lot 5 and 6 in Brandriff and Miner's Addition and the East right-of-way line of Broadway Boulevard a distance of 59.41 feet; thence South 29 degrees 00 minutes West a distance of 112.61 feet to the true point of beginning, containing 0.04 acres.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 28, 1997

Gary & William Chappell
Chappell's Coral Grill
2723 Broadway
Fort Wayne, IN 46807

Dear Sirs:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, June 10, 1997, at 5:30 p.m. Common Council will hold the public hearing in the Common Council Conference Room 128, of the City-County Building. Room 128 is located on the first floor of the City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

PROPOSAL:	Street Vacation
APPLICANT:	F & S Development, Inc. and Gary & William Chappell
REQUEST:	A Street Vacation
REASON:	Create a courtyard which will enhance the Broadway Community both for its residents and businesses
LOCATION:	Portion of Broadway Boulevard and Savilla Avenue

We are sending you this notice because you own property which is adjacent to the property included in this vacation request. This public hearing is your opportunity to offer input on the request. If you have any questions about the public hearing, please call the City Clerk's office at 427-1221. If you have any questions about the vacation request, please call the City Planning Department at 427-1129.

Fort Wayne Common Council



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 28, 1997

F & S Development, Inc.
Steve Shine
2910 Beaver Avenue
Fort Wayne, IN 46807

Dear Sir:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, June 10, 1997, at 5:30 p.m. Common Council will hold the public hearing in the Common Council Conference Room 128, of the City-County Building. Room 128 is located on the first floor of the City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

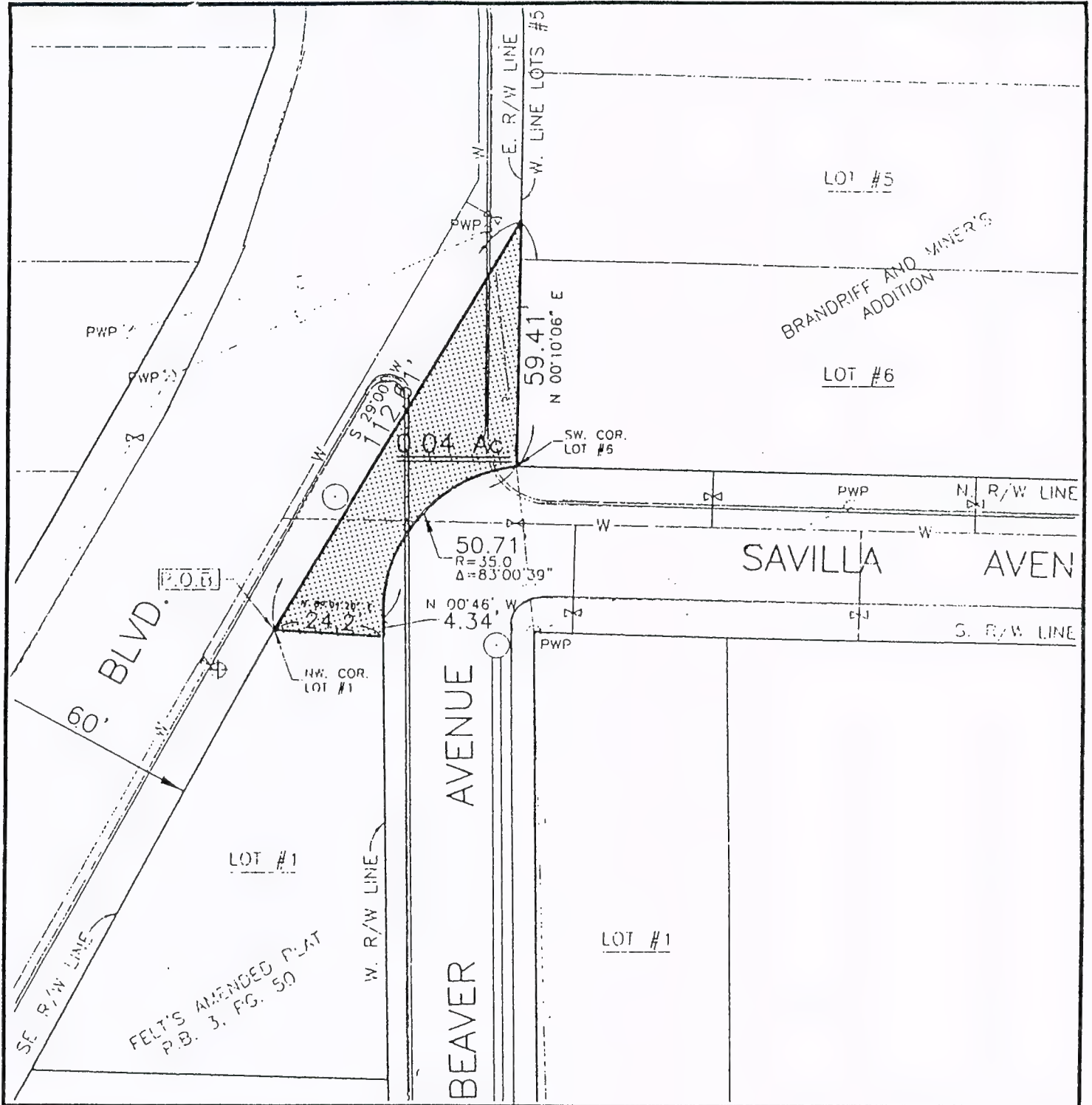
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Fort Wayne Common Council

AREA MAP

CASE NO. #629



COUNCILMANIC DISTRICT NO. 5

Map No. L-7
LW5-16-97

Vacation Review & Analysis

Vacation Petition Number:	629												
Ordinance Number:	G-97-05-20												
Location:	A portion of street right-of-ways located at Broadway, Savilla and Beaver Avenues.												
Land Area:	Approximately 0.04 acres												
Zoning:	B-1-B (limited business) to the north and south, and R-2 (residential / duplex) to the east.												
Surroundings:	<table><tr><td>North</td><td>B-1-B</td><td>Restaurant</td></tr><tr><td>South</td><td>B-1-B</td><td>Office</td></tr><tr><td>East</td><td>R-2</td><td>Residential</td></tr><tr><td>West</td><td>B-1-B</td><td>Commercial</td></tr></table>	North	B-1-B	Restaurant	South	B-1-B	Office	East	R-2	Residential	West	B-1-B	Commercial
North	B-1-B	Restaurant											
South	B-1-B	Office											
East	R-2	Residential											
West	B-1-B	Commercial											
Reason for request:	Creation of a courtyard to enhance the Broadway community for residents and businesses.												

Planning Staff Considerations:

The petitioners are Steven Shine and Gary Chappell who own the properties abutting to the north and south. Mr. Shine is spearheading an effort of corridor renewal along Broadway. The effort is envisioned as being a blend of neighborhood business and residential revitalization and renaissance.

The intent of this vacation is to be able to create a plaza or courtyard with a fountain and various greenery, providing a focal point for local businesses and residents, and possibly providing a place for people to gather and enjoy a bit of scenic atmosphere along this heavily travelled arterial roadway.

Traffic flow would be continued between Savilla Avenue and Beaver Avenue, but would no longer have direct access to Broadway. Residential traffic in the area would switch to either Home Avenue to the south, or Indiana Avenue to the east. Staff verified accident experience at this intersection and found only one accident since 1994.

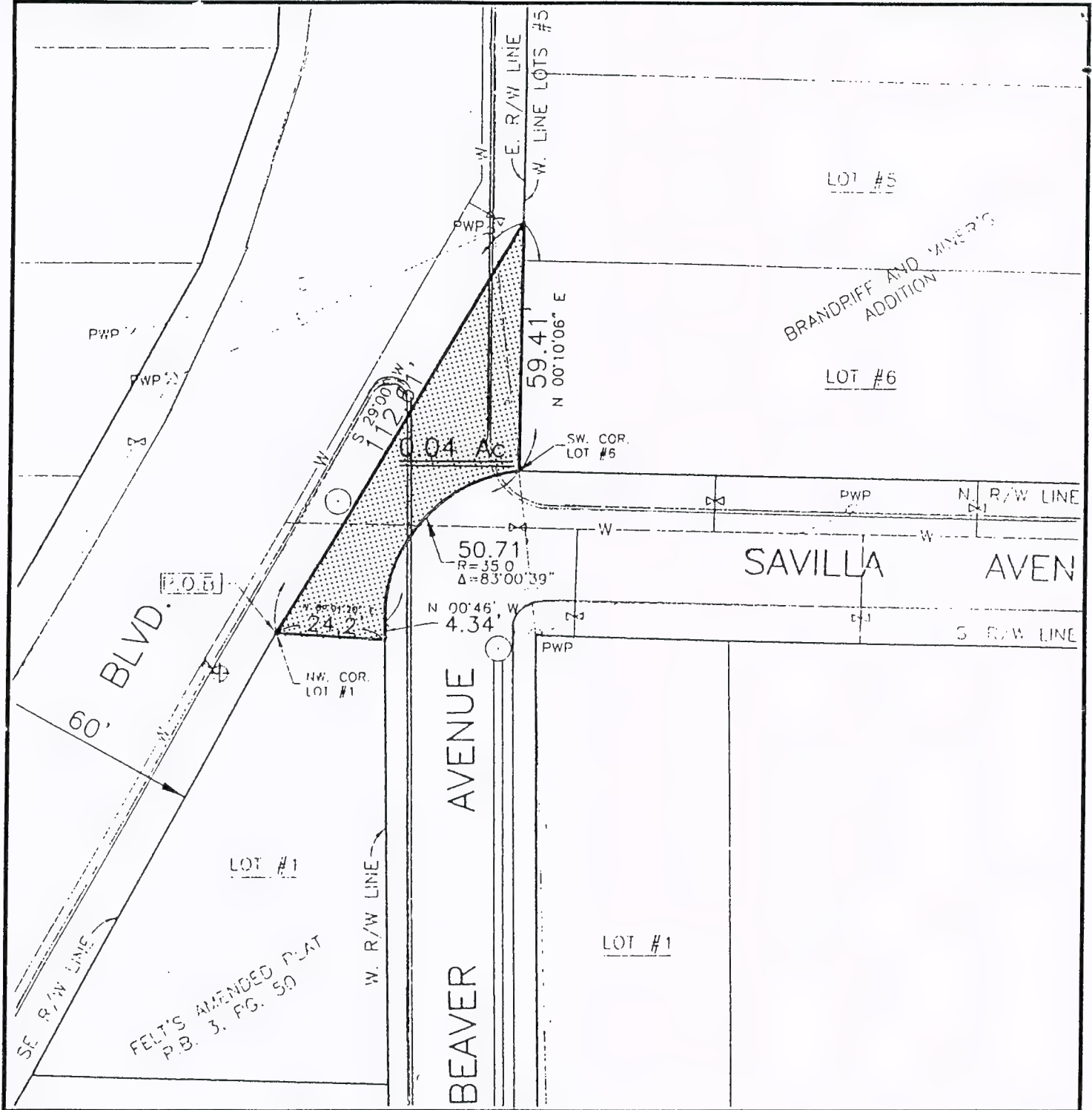
Recommendations: Conditional approval contingent upon the petitioners satisfying the following requirements and conditions:

City Plan:	IC requires that any public utility occupying the public way or easement shall not be deprived of the use for the location and operation of its facilities. The petitioner should provide replacement utility easements as needed.
Traffic Eng. :	Approved.
Street Eng. :	Approved, curb lines to be constructed to accommodate radius.
Water Eng. :	We will require a 14 foot easement over all existing water mains. Please provide a copy of recorded easement document to the Water Engineering Department.
WPC Eng. - Sanitary :	Approved, no easement is required.
Stormwater Eng. :	Approved as proposed.
Street Light Eng. :	Approved.
Park Dept. :	Approved, no impact (on the Park Department).
Technical Services :	Approved, information was sent to the outside utilities (for review and comment) on 5/20/97

REZONING PETITION

AREA MAP

CASE NO. #629



COUNCILMANIC DISTRICT NO. 5

Map No. L-7
LW5-16-97

#629

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Portion of Broadway Boulevard and
Savilla Avenue

5-57-15-20

✓ EFFECT OF PASSAGE Property is currently dedicated public
right-of-way. Property will be vacated and revert to the
adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public
right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

Handwritten notes at top of page

6-24-97

BILL NO. G-97-05-20

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS E. HAYHURST - REBECCA J. RAVINE - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO
WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating
dedicated right-of-way

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<i>Martin A. Burt</i>	_____	_____	_____
<i>Richard J. Jurek</i>	_____	_____	_____
<i>John W. Crampton</i>	_____	_____	_____
<i>Richard J. Hall</i>	_____	_____	_____
<i>Thomas E. Hayhurst</i>	_____	_____	_____
<i>Rebecca J. Ravine</i>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: *7-8-97*

Sandra E. Kennedy
City Clerk

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Print your name, address, and ZIP Code in this box •

Office of the City Clerk
Sandra E. Kennedy, City Clerk
Room 122
City-County Bldg.
One Main Street
Fort Wayne, IN 46802

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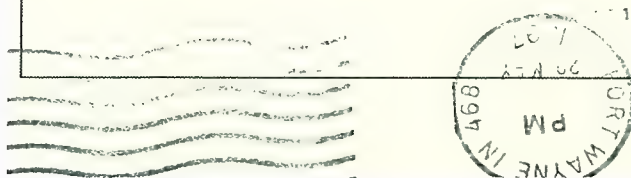
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Print your name, address, and ZIP Code in this box •

Office of the City Clerk
Sandra E. Kennedy, City Clerk
Room 122
City-County Building
One Main Street
Fort Wayne, IN 46802



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

F & S Development, Inc.
Attn: Steve Shine
2910 Beaver
Fort Wayne, IN 46807

4a. Article Number

P 304 164 513

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5-29-97

5. Received By: (Print Name)**6. Signature: (Addressee or Agent)**

X *[Signature]* Steinman

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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Gary & William Chappell
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P 304 164 512

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5-29-97

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X *[Signature]* Chappell

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PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 304 164 512

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Gary & William Chappell	
Street & Number 2723 Broadway	
Post Office, State, & ZIP Code Fort Wayne, IN 46807	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

P 304 164 513

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to F & S Development, Inc.	
Street & Number 2910 Beaver Avenue	
Post Office, State, & ZIP Code Fort Wayne, IN 46807	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

68 lines, 1 columns wide equals 68 equivalent lines
at .364 cents per line

\$ 24.75

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 25.75

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JUNE 2, 19 97

Title: Jamie M. Custer
Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-97-05-20)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, JUNE 10, 1997, AT 5:30 P.M. (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Part of Savilla Avenue and Broadway Boulevard in Wayne Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of South right-of-way line of Savilla Avenue and the Southeasterly right-of-way line of Broadway Boulevard, said point being the Northwest corner of Lot Number 1 of Felt's Amended Plat as recorded in Plat Book 3 page 50 as recorded in the plat thereof in the office of the Recorder of Allen County; thence North 89 degrees 01 minutes 20 seconds East (assumed bearing) along the South right-of-way line of Savilla Avenue and the North line of Lot Number 1, a distance of 24.2 feet to the intersection of the South right-of-way line of Savilla Avenue and the West right-of-way line of Beaver Avenue; thence North 00 degrees 46 minutes West along the West right-of-way line of Beaver Avenue extended North, a distance of 4.34 feet to a point of curvature; thence Northerly and Easterly on a curve to the right having a radius of 35.0 feet, a central angle of 83 degrees 00 minutes 30 seconds to the intersection of the South right-of-way line of Savilla Avenue and the West right-of-way line of Beaver Avenue.

in Edgerton until 1900.
Surviving are daughters, Sharon
Mink of Camarillo, Calif., Debra
Harmon of Fort Wayne, and Wendy
Teegardin of Wilmington, Del.; six
grandchildren; and one great-
grandchild.

Services are 10:30 a.m. (Ohio
time) Monday in St. Mary's Catho-

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JAMIE M. CUSTER who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

5-31-97

Jamie M. Custer

Subscribed and sworn to before me this 2nd day of JUNE, 1997.

Mary L Schneider
Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires: MY COMMISSION EXP JUNE 14, 1997

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

LINE COUNT

Total number of lines in notice

\$ 24.75

1.00

\$ 25.75

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Title: _____ Clerk

State of Indiana)
) ss:
Allen County)

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5-31-97

Subscribed and sworn to before me this 2nd day of JUNE, 19 97.

Mary L. Schneider
Notary Public

My commission expires: MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-97-05-20)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY JUNE 10, 1997, AT 5:30 P.M., (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Part of Savilla Avenue and Broadway Boulevard in Wayne Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of South right-of-way line of Savilla Avenue and the Southeastern right-of-way line of Broadway Boulevard, a point being the Northwest corner of Lot Number 6 of Field Amended Plat as recorded in Plat Book 3 page 35 as recorded in the plat thereof in the office of the Recorder of Allen County; thence North 89 degrees 01 minutes 20 seconds East (assumed bearing) along the South right-of-way line of Savilla Avenue and the North line of Lot Number 1, a distance of 122 feet to the intersection of the South right-of-way line of Savilla Avenue and the West right-of-way line of Beaver Avenue; thence North 00 degrees 46 minutes West along the West right-of-way line of Beaver Avenue extended North, a distance of 4.34 feet to a point of curvature; thence Northerly and Easterly on a curve to the right having a radius of 35.0 feet, a central angle of 83 degrees 00 minutes 39 seconds, an arc distance of 50.71 feet to the Southwest corner of Lot Number 6 in Brandriff and Miner's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, said point also being the intersection of the North right-of-way line of South "A" Street "AS IT APPEARS" (said

Services are 10:30 a.m. (Ohio grandchild. Teggard of Fort Wayne, Del.; six Harmon of Camarillo, Calif.; Debra Mink of Camarillo, Calif.; and Wendy